

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number 09/697,206
Filing Date October 26, 2000
First Named Inventor Daniel E. H. AFAR
Examiner Name M. Davis
Art Unit 1642
Attorney Docket No. 511582002100

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number 03-1952 referencing
511582002100

Deposit Account Name Morrison & Foerster LLP

The Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 750 | 2001 | 375 | Utility filing fee | |
| 1002 | 330 | 2002 | 165 | Design filing fee | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | |
| 1004 | 750 | 2004 | 375 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| | | | |
| Independent Claims | | | |
| Multiple Dependent | | | |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 84 | 2201 | 42 | Independent claims in excess of 3 |
| 1203 | 280 | 2203 | 140 | Multiple dependent claim, if not paid |
| 1204 | 84 | 2204 | 42 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 410 | 2252 | 205 | Extension for reply within second month | |
| 1253 | 930 | 2253 | 465 | Extension for reply within third month | |
| 1254 | 1,450 | 2254 | 725 | Extension for reply within fourth month | |
| 1255 | 1,970 | 2255 | 985 | Extension for reply within fifth month | |
| 1401 | 320 | 2401 | 160 | Notice of Appeal | |
| 1402 | 320 | 2402 | 160 | Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 | 140 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,300 | 2453 | 650 | Petition to revive - unintentional | |
| 1501 | 1,300 | 2501 | 650 | Utility issue fee (or reissue) | |
| 1502 | 470 | 2502 | 235 | Design issue fee | |
| 1503 | 630 | 2503 | 315 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | 180.00 |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 750 | 2809 | 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 750 | 2810 | 375 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 750 | 2801 | 375 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

SUBMITTED BY

Name (Print/Type) David L. Devernoe Registration No. (Attorney/Agent) 50,128 Telephone (858) 720-7943
Signature [Signature] Date August 27, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 8/27/03 Signature: Judy Bridgwater (Judy Bridgwater)

1642\$



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PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| | | | |
|---|----|------------------------|-------------------|
| <h2 style="text-align: center;">TRANSMITTAL FORM</h2> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p> | | Application Number | 09/697,206 |
| | | Filing Date | October 26, 2000 |
| | | First Named Inventor | Daniel E. H. AFAR |
| | | Art Unit | 1642 |
| | | Examiner Name | M. Davis |
| Total Number of Pages in This Submission | 12 | Attorney Docket Number | 511582002100 |

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| ENCLOSURES (check all that apply) | | |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement - Supplemental <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Form 1449 2) References: 143 3. Return Postcard |
| Remarks <p style="text-align: center;">Customer No. 25225</p> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | MORRISON & FOERSTER LLP David L. Devernoe - 50,128 |
| Signature | |
| Date | August 27, 2003 |

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| Dated: 8/27/03 | Signature: (Judy Bridgwater) |



PATENT
Docket No. 511582002100

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Judy Bridgewater
Judy Bridgewater

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Daniel E. H. AFAR et al.

Serial No.: 09/697,206

Filing Date: October 26, 2000

For: NOVEL GENE UPREGULATED IN
CANCERS OF THE PROSTATE

Examiner: M. Davis

Group Art Unit: 1642

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA, 22313

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

09/08/2003 JADD01 00000052 031952 09697206
01 FC:1806 180.00 DA

sd-161894

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.


The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to

charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 511582002100. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

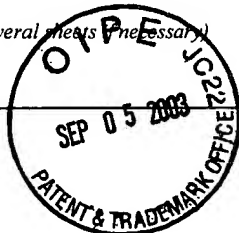
Dated: August 27, 2003

Respectfully submitted,

By: 
David L. Devernoe
Registration No. 50,128

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3811 Valley Centre Drive
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San Diego, California 92130-2332
Telephone: (858) 720-7943
Facsimile: (858) 720-5125

| | | |
|---|--------------------------------------|-------------------------------|
| Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i> | Docket Number 511582002100 | Application Number 09/697,206 |
| | Applicant Daniel E.H. AFAR et al. | |
| | Filing Date October 26, 2000 | Group Art Unit 1642 |
| | Mailing Date August 27, 2003 | |



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U.S. PATENT DOCUMENTS

| Examiner Initials | Ref. No. | Date | Document No. | Name | Class | Subclass | Filing Date If Appropriate |
|-------------------|----------|---------|--------------|-----------------|-------|----------|----------------------------|
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| | 2. | 11/1981 | 4,301,144 | Iwashita et al. | 424 | 78 | |
| | 3. | 01/1985 | 4,496,689 | Mitra | 525 | 54.1 | |
| | 4. | 02/1987 | 4,640,835 | Shimizu et al. | 424 | 94 | |
| | 5. | 06/1987 | 4,670,417 | Iwasaki et al. | 514 | 6 | |
| | 6. | 04/1988 | 4,736,866 | Leder et al. | 800 | 1 | |
| | 7. | 12/1988 | 4,791,192 | Nakagawa et al. | 530 | 399 | |
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| | 10. | 06/1995 | 5,428,130 | Capon et al. | 530 | 350 | |
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| | 19. | 08/1999 | 5,939,533 | Lilja et al. | 530 | 387.7 | |
| | 20. | 09/1999 | 5,952,170 | Stroun et al. | 435 | 6 | |
| | 21. | 09/1999 | 5,955,280 | Vidal et al. | 435 | 6 | |
| | 22. | 12/1999 | 6,004,746 | Brent et al. | 435 | 6 | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials | Ref. No. | Date | Document No. | Country | Class | Subclass | Translation YES NO |
|-------------------|----------|------|--------------|---------|-------|----------|--------------------|
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EXAMINER:

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| | | |
|---|--------------------------------------|-------------------------------|
| Form PTO-1449 INFORMATION DISCLOSURE IN AN APPLICATION (Use several sheets if necessary) | Docket Number 511582002100 | Application Number 09/697,206 |
| | Applicant Daniel E.H. AFAR et al. | |
| | Filing Date October 26, 2000 | Group Art Unit 1642 |
| | Mailing Date August 27, 2003 | |

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| | 23. | 04/1998 | WO 98/16628 | WIPO | | | |
| | 24. | 06/1998 | WO 98/24893 | WIPO | | | |

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

| Examiner Initials | Ref. No. | Title |
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| | 26. / | Alers et al., Lab. Invest. (1997) 77(5):437-438 |
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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



Form PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 511582002100

Application Number 09/697,206

Applicant

Daniel E.H. AFAR et al.

Filing Date October 26, 2000

Group Art Unit 1642

Mailing Date August 27, 2003

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| 71. | Isaacs et al., Cancer Surv. (1995) 23:19-32 ✓ |
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EXAMINER:

DATE CONSIDERED:

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Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION FOR A PATENT**

(Use several sheets if necessary)

Docket Number 511582002100

Application Number 09/697,206

Applicant

Daniel E.H. AFAR et al.

Filing Date October 26, 2000

Group Art Unit 1642

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| 80. | Kennedy et al., Nat. Genet. (1996) 12(3):329-331 - |
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| 97. | Partridge et al., Antisense and Nucleic Acid Drug Development (1996) 6:169-175 - |
| 98. | Peshwa et al., Prostate (1998) 36:129-138 - |
| 99. | Peterziel et al., Oncogene (1999) 18(46):6322-6329 - |
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| 110. | Schlessenger et al., Curr. Opin. Genet. Dev. (1994) 4:25 |

EXAMINER:

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Applicant

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- | | |
|------|---|
| 111. | Schwartz et al., J. Immunol. (1985) 135(4):2598-2608 - |
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| | Applicant Daniel E.H. AFAR et al. | |
| | Filing Date October 26, 2000 | Group Art Unit 1642 |
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